



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CCC

*610 Federal Plaza
Central Islip, New York 11722*

July 22, 2019

By Hand and ECF

The Honorable Arthur D. Spatt
United States Senior District Judge
United States District Court
Eastern District of New York
1020 Federal Plaza
Central Islip, New York 11722

Re: United States v. Brian Callahan and Adam Manson
Criminal Docket No. 13-CR-453 (S-1)(ADS)

Dear Judge Spatt:

The government respectfully moves for an extension to file a response to the above-referenced defendants' motions filed on June 19, 2019 (docket nos. 205 and 206) until August 19, 2019. This is the government's first request for an extension.

On September 2017, Your Honor sentenced defendant Brian Callahan to 144 months' incarceration. Callahan began serving that sentence in January 2018 and is not scheduled to be released from prison until 2028. Callahan appealed his sentence to the United States Court of Appeals for the Second Circuit. On December 28, 2017, the Second Circuit dismissed that appeal on the ground that the defendant waived his right to appeal if he received a sentence of imprisonment of 327 months or below. Defendant Manson was scheduled to be sentenced on June 28, 2019. Less than ten days before that sentencing, the defendants filed a twenty page motion along with more than seventy pages of exhibits, including a report of a forensic accounting firm retained by the defendants. In those motions, the defendants requested the following relief: (1) disqualification of the U.S. Attorney's Office; (2) recusal of Your Honor; (3) an order requiring enforcement of Manson's plea agreement; (4) permission for Callahan to file supplemental briefing to support his § 2255 motion; and (5) Callahan's release from prison. Manson is now scheduled to be sentenced in October 2019.

The government requests permission to file its opposition brief to the defendants' various motions by August 19, 2019. Despite that the government has repeatedly consented to lengthy adjournments to Callahan's sentencing (see, e.g., docket nos.

103 and 111), ten requests by Callahan to modify his bail to permit him to travel mostly for family vacations (see, e.g., docket nos. 38, 84, 90, 96, 102, 108, 110, 133, 151 and 153) and did not object to giving Callahan two months after sentencing to self surrender to the United States Marshals Service, counsel for Callahan refused to consent to the instant request and notified the undersigned AUSA that he intends to file a letter opposing the instant request on Tuesday, July 23, 2019. Because this is the government's first (and will be the only) request for an extension, and because the requested extension is necessary to give the government sufficient time to fully respond to all of defendants' motions, the government asks the Court to grant the instant request.

Respectfully submitted,

RICHARD P. DONOGHUE
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By: _____/s/
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